

RULES REVIEW COMMITTEE

Study Assignment

A review of proposed state agency rules.

Summary of Interim

The Rules Review Committee reviewed 93 sets of rules during this interim. The range of subjects covered by the rules this year included routine speed zone modifications for the Department of Transportation to emergency rules to allow reserve law enforcement officers to be paid to fill in for those law enforcement officers called to active duty due to the Iraq conflict. The Department of Agriculture's definition of "State Fair Week" was reviewed and approved at the committee's final meeting on January 12.

The rules from the Department of Game, Fish and Parks to impose certain business requirements on taxidermists were back before the committee. After considerable revisions by the department, the business requirements regarding recordkeeping were accepted as presented.

The committee reviewed two sets of rules that were sent back to a prior step in the rules promulgation process. In each case the committee directed the agency to clarify or reconcile fiscal information used to support the proposed rules. The Plumbing Commission was asked to submit more detailed information to justify the need for certain plumbing installation certificates and inspections. At the September meeting the representatives of the Plumbing Commission presented additional fiscal information to support the proposed rules and the committee accepted the rules as presented. The State Brand Board proposed to increase ownership inspection fees by ten cents. This increase was opposed by the Secretary of the Department of Agriculture and generated extensive public testimony from the Brand Board, the Stockgrowers, and the committee. The committee asked the Brand Board and the Stockgrowers to submit additional fiscal information to justify the fee increase, which the Brand Board did at the October 6 meeting, and the rules were accepted as presented.

Ultimately all rules presented to the committee were accepted.

Listing of Legislation Adopted

1. An Act to change a certain obsolete timeframe used in the rules promulgation process. This bill will amend SDCL 1-26-6(1) to delete a ten day waiting period.
2. An Act to provide additional criteria to send a rule back for further public hearing by the agency.

Summary of Meeting Dates & Places and Listing of Committee Members

The Rules Review Committee met at the State Capitol in Pierre on the following dates: March 24, 2003; April 15, 2003; May 13, 2003; June 10, 2003; September 8, 2003; October 6, 2003; November 14, 2003; December 2, 2003, and January 12, 2004. The last meeting was held to review any rules that needed to be considered before the legislative session began.

Committee members were Senator Royal "Mac" McCracken (Chair); Representative Jean Hunhoff (Vice-Chair); Senators Eric Bogue and H. Paul Dennert; and Representatives Richard Engels and Orville Smidt.

Staff members were Doug Decker, Code Counsel, and Kris Schneider, Legislative Secretary.